

NOTICE OF EMERGENCY RULE REPEAL AND PROMULGATION

AGENCY: Department of Marine Resources

STATUTORY AUTHORITY: 12 M.R.S.A. Sections 6172 and 6192

RULE REPEAL AND PROMULGATION: DMR Regulation 95.05, Closed Area 30-K, Northeastern end of Southern Harbor, North Haven, promulgated on September 14, 1990 is repealed and replaced with the following rule:

TEXT OF RULE: DMR Regulation 95.05, Closed Area 30-K, Northeastern end of Southern Harbor, North Haven.

1. Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels taken from the shores, flats and waters of the following two areas in the northeastern end of Southern Harbor, North Haven;

(A) Inside and northeasterly of a line beginning at a red painted post located on the southernmost point of "Seaview Cemetery Cove" and running northwesterly about 1,000 feet to a red painted post on the northwestern shore of said cove.

(B) Inside and easterly of a line drawn across the eastern half of Cox Cove beginning at a red painted post located on the southern side of the northeastern most point and running southwest to a red painted post located on the most northeastern portion of a small unnamed point located west of two small coves in the southern portion of Cox Cove.

Violation of any provision of this regulation shall be a Class D Crime (12 M.R.S.A. Section 6204).

EFFECTIVE DATE: October 8, 1998

AGENCY CONTACT PERSON: Paul S. Anderson  
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COURIER GAZETTE  
October 13, 1998

STATEMENT OF FACT AND POLICY

The Commissioner of the Maine Department of Marine Resources repeals the emergency DMR Regulation 95.05, Closed Area 30-K, Northeastern end of Southern Harbor, North Haven, promulgated on September 14, 1990, and replaces it with a new regulation. This new regulation increases the closed area in Southern Harbor by including the eastern portion of Cox Cove.

Department of Marine Resources personnel have sampled the area and analysis of samples revealed that the newly closed area is subject to micro biological pollution. Consequently, harvest of shellfish in this closed area is prohibited to protect the public health.

  
E. PENN ESTABROOK,  
Deputy Commissioner



# Department of Marine Resources

Legal Notice of Shellfish Closure Area 30-K, Southern Harbor, North Haven

